



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

OCT 1 2001

DOT-E 9634
(FOURTH REVISION)

EXPIRATION DATE: August 31, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Luxfer Gas Cylinders
Riverside, CA

2. PURPOSE AND LIMITATIONS:

This exemption authorizes the manufacture, marking and sale of a non-DOT specification cylinder conforming with all regulations applicable to a DOT FRP-1 cylinder, except as specified herein to be used for the transportation in commerce of certain Division 2.1 or 2.2 materials. This exemption provides no relief from any Hazardous Materials Regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.302(a) (1), 173.304(a), (d) and 175.3 in that the use of a non-DOT specification package is authorized.

5. BASIS: This exemption is based on the application of Luxfer Gas Cylinders dated July 31, 2001, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi- fication Number | Packing Group |
|--|------------------------------|-------------------------------|------------------|
| Hydrogen and methane mixture, compressed | 2.1 | UN2034 | N/A |

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi- fication Number | Packing Group |
|---|------------------------------|-------------------------------|------------------|
| Natural gas, compressed (with high methane content) | 2.1 | UN1971 | N/A |
| Other Division 2.2 gases under specific commodity names (air, compressed, carbon dioxide, helium, compressed, nitrogen, compressed, oxygen and oxygen- nitrogen mixture, containing not over 39% oxygen classified as nonflammable gases). | 2.2 | As appro- priate | N/A |

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification fiber reinforced plastic (FRP) full composite (FC) cylinder in full conformance with Luxfer drawing L45T45-6 Rev. 0 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA), and in conformance with the requirements of DOT FRP-1 Standard, Revision 2 dated February 15, 1987 (Basic Requirements for Fiber Reinforced Plastic (FRP) Type 3FC Composite Cylinders) except as follows:

§ 178.AA-5 *Authorized material and identification of material.*

- (a) Aluminum liner must be 6061 and T6 temper. Cylinders constructed with aluminum liner 6351 before January 1, 1990 can remain in service if requalified in accordance with paragraph 8(j) of this exemption.

§ 178.AA-6 *Manufacture.*

- (a) Add to end of the paragraph: Each cylinder must be a seamless cylinder and may be produced by cold or hot backward extrusion, cold drawing, or from an extruded tube with swaged or spun ends.

OCT 1 2001

b. TESTING - Each cylinder must be reinspected and hydrostatically retested every three years in accordance with § 173.34(e) as prescribed for DOT 3HT cylinders, except that the rejection elastic expansion criteria does not apply, permanent volumetric expansion must not exceed 5 percent of total volumetric expansion at test pressure and retest dates must be steel stamped on the outer exposed metallic surface of the cylinder neck, or marked on a label securely affixed to the cylinder and over coated with epoxy. Reheat treatment or repair of rejected cylinders is not authorized.

c. OPERATIONAL CONTROLS -

(i). Cylinders manufactured under this exemption are not authorized for use fifteen (15) years after the date of manufacture.

(ii). Use of these cylinders for underwater breathing is not authorized.

(iii). Cylinders used in oxygen service must be in compliance with § 173.302(a)(5)(i) through (iv).

(iv). Cylinders must be packaged in accordance with § 173.301(k).

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

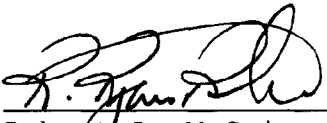
- d. Each cylinder manufactured under the authority of this exemption must be marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.
- e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.
- f. Transportation of flammable gas is not authorized aboard cargo vessel or passenger-carrying aircraft.
- g. Transportation of oxygen is only authorized when in accordance with § 172.102(c)(2) Special Provision A52 and §§ 175.85(h) and (i).
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only and passenger-carrying aircraft (see paragraphs 8(f) and (g) for restriction).
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel and aircraft used to transport packages covered by this exemption. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must also inform the AAHMS, in writing of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.


for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

OCT 1 2001

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW